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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:	:
	:
LETTER ROGATORY FOR	:
INTERNATIONAL JUDICIAL	:
ASSISTANCE FROM THE FAMILY,	:
WOMEN, AND CHILDREN JUDICIAL	:
UNIT OF THE METROPOLITAN	:
DISTRICT OF QUITO, ECUADOR	:
IN THE MATTER OF FAUSTO	:
EDUARDO AGUIAR FALCONI v.	:
DAVID AGUIAR VALLEJO, ET AL.	:
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DECLARATION OF
TALIA KRAEMER

Case No. 18-mc-151

I, Talia Kraemer, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an Assistant United States Attorney in the Office of the United States Attorney for the Southern District of New York, counsel for the United States of America (the “Government”). I make this declaration upon information and belief based upon the attached exhibits and communications with personnel in the United States Department of Justice, to which a letter rogatory has been transmitted for execution. I make this declaration in support of the Government’s request, pursuant to 28 U.S.C. § 1782(a),¹ for an order appointing me as a Commissioner for the purpose of obtaining information from The Morgan Stanley Company.

¹ Section 1782(a) provides, in pertinent part, as follows:

2. In connection with a proceeding captioned “Fausto Eduardo Aguiar Falconi v. David Aguiar Vallejo, et al.,” and pending in the Family, Women, and Children Judicial Unit of the Metropolitan District of Quito, Ecuador (the “Ecuadorean Court”), the Ecuadorean Court issued a letter rogatory seeking information from The Morgan Stanley Company. A true and correct copy of the letter rogatory is attached hereto as Exhibit A.

3. An undated draft of a subpoena addressed to Morgan Stanley Legal Department, 1633 Broadway, 26th Floor, New York, NY 10019, which the Government intends to serve upon my appointment as Commissioner, is attached hereto as Exhibit B.

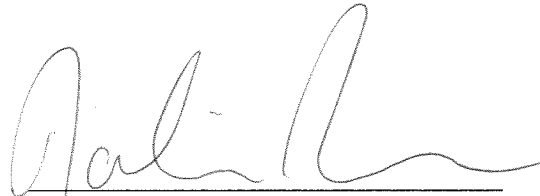
4. To assist the Ecuadorean Court in obtaining the requested information, I respectfully request that this Court appoint me as Commissioner as proposed in the *ex parte* order attached hereto as Exhibit C. No previous application for the relief sought herein has been made.

The district court of the district in which a person resides or is found may order him to give his testimony or statement or to produce a document or other thing for use in a proceeding in a foreign or international tribunal, including criminal investigations conducted before formal accusation. The order may be made pursuant to a letter rogatory issued, or request made, by a foreign or international tribunal or upon the application of any interested person and may direct that the testimony or statement be given, or the document or other thing be produced, before a person appointed by the court. By virtue of his appointment, the person appointed has power to administer any necessary oath and take the testimony or statement. The order may prescribe the practice and procedure, which may be in whole or part the practice and procedure of the foreign country or the international tribunal, for taking the testimony or statement or producing the document or other thing. To the extent that the order does not prescribe otherwise, the testimony or statement shall be taken, and the document or other thing produced, in accordance with the Federal Rules of Civil Procedure.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

WHEREFORE, the United States respectfully requests that this Court enter the attached Order.

Dated: New York, New York
April 18, 2018

A handwritten signature in black ink, appearing to read 'Talia Kraemer', written over a horizontal line.

TALIA KRAEMER
Assistant United States Attorney